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Date of Signature and Deposit: November 17, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Jack E. Lohman, et al.

Serial No.:

10/758,917

Filed:

January 16, 2004

Examiner:

Group Art Unit:

3762

Docket No.:

190143.90091

Title:

LONG TERM CARDIAC MONITOR

## PRELIMINARY AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Prior to the substantive examination of the above-captioned application, please amend the application as follows.

11/24/2004 FMETEKI1 00000001 170055 10758917

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(10-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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| FEE TRANSMITTAL  |             | С                    |                |  |
|--|-------------|----------------------|----------------|--|
| FEE IRAN   | DIVITITAL   | Application Number   | 10/758,917     |  |
| for EV   | 2005        | Filing Date          | 01/16/2004     |  |
| for FY 2005  Effective 10/01/2004. Patent fees are subject to annual revision. |             | First Named Inventor | Jack E. Lohman |  |
|  |             | Examiner Name        |                |  |
| Applicant claims small entity status. See 37 CFR 1.27                          |             | Art Unit             | 3762           |  |
| TAL AMOUNT OF PAYMENT  | (\$) 160.00 | Attorney Docket No.  | 190143.90091   |  |

| Attorney Bocket No.   |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
| METHOD OF PAYMENT (check all that apply)  | FEE CALCULATION (continued)  |  |  |  |  |  |
| Check Credit card Money Other None  | 3. ADDITIONAL FEES   |  |  |  |  |  |
| Deposit Account:  | Large Entity   Small Entity  |  |  |  |  |  |
| Donosit   | Fee Fee Fee Fee Description  Fee Paid  |  |  |  |  |  |
| Account   17-0055   | 1051 130 2051 65 Surcharge - late filing fee or oath                                       |  |  |  |  |  |
| Number<br>Deposit<br>Account<br>Quarles & Brady LLP   | 1052 50 2052 25 Surcharge - late provisional filing fee or                                 |  |  |  |  |  |
| Account Name Qualles & Blady LLF  | cover sheet  |  |  |  |  |  |
| The Director is authorized to: (check all that apply)   | 1053 130 1053 130 Non-English specification  |  |  |  |  |  |
| Charge fee(s) indicated below Credit any overpayments   | 1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination               |  |  |  |  |  |
| Charge any additional fee(s) or any underpayment of fee(s)  | 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action                 |  |  |  |  |  |
| Charge fee(s) indicated below, except for the filing fee  | 1805 1,840* 1805 1,840* Requesting publication of SIR after                                |  |  |  |  |  |
| to the above-identified deposit account.  | Examiner action  |  |  |  |  |  |
| FEE CALCULATION   | 1251 110 2251 55 Extension for reply within first month                                    |  |  |  |  |  |
| 1. BASIC FILING FEE   | 1252 430 2252 215 Extension for reply within second month                                  |  |  |  |  |  |
| Large Entity Small Entity Fee Fee   Fee Fee   Fee Description   Fee Paid  | 1253 980 2253 490 Extension for reply within third month                                   |  |  |  |  |  |
| Code (\$) Code (\$)   | 1254 1,530 2254 765 Extension for reply within fourth month                                |  |  |  |  |  |
| 1001 790 2001 395 Utility filing fee  | 1255 2,080 2255 1,040 Extension for reply within fifth month                               |  |  |  |  |  |
| 1002 350 2002 175 Design filing fee   | 1401 340 2401 170 Notice of Appeal   |  |  |  |  |  |
| 1003 550 2003 275 Plant filing fee  | 1402 340 2402 170 Filing a brief in support of an appeal                                   |  |  |  |  |  |
| 1004 790 2004 395 Reissue filing fee  | 1403 300 2403 150 Request for oral hearing   |  |  |  |  |  |
| 1005 160 2005 80 Provisional filing fee   | 1451 1,510 1451 1,510 Petition to institute a public use proceeding                        |  |  |  |  |  |
| SUBTOTAL (1) (\$) 0.00  | 1452 110 2452 55 Petition to revive - unavoidable  |  |  |  |  |  |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE   | 1453 1,330 2453 665 Petition to revive - unintentional                                     |  |  |  |  |  |
| Fee from  | 1301 1,370 2301 663 Office (or reissue)  |  |  |  |  |  |
| Extra Claims below Fee Paid  Total Claims 99 -91**= 8 x 9.00 = 72.00  | 1502 490 2502 245 Design issue fee   |  |  |  |  |  |
| Independent CO CO CO  | 1503 660 2503 330 Plant issue fee  |  |  |  |  |  |
| Claims  | 1460 130 1460 130 Petitions to the Commissioner  |  |  |  |  |  |
|   | 1807 50 1807 50 Processing fee under 37 CFR 1.17(q)  |  |  |  |  |  |
| Large Entity   Small Entity Fee Fee Fee Fee Fee Description   | 1806 180 1806 180 Submission of Information Disclosure Stmt                                |  |  |  |  |  |
| Code (\$) Code (\$)   | 8021 40 8021 40 Recording each patent assignment per property (times number of properties) |  |  |  |  |  |
| 1202 18 2202 9 Claims in excess of 20   | 1809 790 2809 395 Filing a submission after final rejection                                |  |  |  |  |  |
| 1201 88 2201 44 Independent claims in excess of 3   | (37 ČFR 1.129(a))  |  |  |  |  |  |
| 1203 300 2203 150 Multiple dependent claim, if not paid   | 1810 790 2810 395 For each additional invention to be examined (37 CFR 1.129(b))           |  |  |  |  |  |
| 1204 88 2204 44 ** Reissue independent claims over original patent  | 1801 790 2801 395 Request for Continued Examination (RCE)                                  |  |  |  |  |  |
| 1205 18 2205 9 ** Reissue claims in excess of 20  | 1802 900 1802 900 Request for expedited examination  |  |  |  |  |  |
| and over original patent  | of a design application  |  |  |  |  |  |
| SUBTOTAL (2) (\$) 160.00  | Other fee (specify)  |  |  |  |  |  |
| **or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00 |  |  |  |  |  |  |

| SUBMITTED BY (Complete (if applicable)) |                |                                      |        |           |              |  |  |
|---|----------------|--------------------------------------|--------|-----------|--------------|--|--|
| Name (Print/Type)                       | Adam J. Forman | Registration No.<br>(Attorney/Agent) | 46,707 | Telephone | 414-277-5405 |  |  |
| Signature                               | adam J. Form   | m                                    |        | Date      | 11-17-2004   |  |  |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.